



General Assembly

Substitute Bill No. 5730

February Session, 2008

* _____ HB05730JUD _____ 032408 _____ *

AN ACT CONCERNING ENVIRONMENTAL HEALTH.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 25-33 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2008*):

4 (b) No system of water supply owned or used by a water company
5 shall be constructed or expanded or a new additional source of water
6 supply utilized until the plans therefor have been submitted to and
7 reviewed and approved by [said] the department, except that no such
8 prior review or approval is required for distribution water main
9 installations that are constructed in accordance with sound
10 engineering standards and all applicable laws and regulations. [In
11 reviewing any proposed new source of water supply, the department
12 shall consider the] A plan for any proposed new source of water
13 supply submitted pursuant to this subsection shall address: (1) The
14 proposed water supply's anticipated effect on nearby water supply
15 systems including public and private wells, and (2) the proposed
16 controls and land use measures that assure purity and adequacy of the
17 new source. [Said department shall consult with and advise any water
18 company as to proposed sources of water supply and methods of
19 assuring their purity and adequacy.] In reviewing any proposed new
20 source of water supply the department shall consider the issues

21 specified in subdivisions (1) and (2) of this subsection. For purposes of
22 this subsection and subsection (c) of this section, "distribution water
23 main installations" means installations, extensions, replacements or
24 repairs of public water supply system mains from which water is or
25 will be delivered to one or more service connections and which do not
26 require construction or expansion of pumping stations, storage
27 facilities, treatment facilities or sources of supply.

28 Sec. 2. Section 19a-206 of the 2008 supplement to the general statutes
29 is amended by adding subsection (f) as follows (*Effective from passage*):

30 (NEW) (f) If the order of a district department of health, formed
31 pursuant to section 19a-241, causes the displacement of any occupant
32 of a residential dwelling unit, the municipality in which such dwelling
33 unit is located shall be responsible for any relocation assistance
34 afforded to such occupant pursuant to chapter 135. The district
35 department of health shall provide written notification to the occupant
36 of the occupant's rights under chapter 135 at the time an order causing
37 displacement is issued. The written notification shall include the name,
38 address and telephone number of the person authorized by the
39 municipality to process applications for relocation assistance afforded
40 pursuant to chapter 135.

41 Sec. 3. Subsection (a) of section 19a-17 of the 2008 supplement to the
42 general statutes is repealed and the following is substituted in lieu
43 thereof (*Effective October 1, 2008*):

44 (a) Each board or commission established under chapters 369 to 376,
45 inclusive, 378 to 381, inclusive, and 383 to 388, inclusive, and the
46 Department of Public Health with respect to professions under its
47 jurisdiction that have no board or commission may take any of the
48 following actions, singly or in combination, based on conduct that
49 occurred prior or subsequent to the issuance of a permit or a license
50 upon finding the existence of good cause:

51 (1) Revoke a practitioner's license or permit;

- 52 (2) Suspend a practitioner's license or permit;
- 53 (3) Censure a practitioner or permittee;
- 54 (4) Issue a letter of reprimand to a practitioner or permittee;
- 55 (5) Place a practitioner or permittee on probationary status and
56 require the practitioner or permittee to:
- 57 (A) Report regularly to such board, commission or department
58 upon the matters which are the basis of probation;
- 59 (B) Limit practice to those areas prescribed by such board,
60 commission or department;
- 61 (C) Continue or renew professional education until a satisfactory
62 degree of skill has been attained in those areas which are the basis for
63 the probation;
- 64 (6) Assess a civil penalty of up to twenty-five thousand dollars; [or]
- 65 (7) In those cases involving persons or entities licensed or certified
66 pursuant to sections 20-341d, 20-435, 20-436, 20-437, 20-438, 20-475 and
67 20-476, require that restitution be made to an injured property owner;
68 or
- 69 [(7)] (8) Summarily take any action specified in this subsection
70 against a practitioner's license or permit upon receipt of proof that
71 such practitioner has been:
- 72 (A) Found guilty or convicted as a result of an act which constitutes
73 a felony under (i) the laws of this state, (ii) federal law or (iii) the laws
74 of another jurisdiction and which, if committed within this state,
75 would have constituted a felony under the laws of this state; or
- 76 (B) Subject to disciplinary action similar to that specified in this
77 subsection by a duly authorized professional agency of any state, the
78 District of Columbia, a United States possession or territory or a
79 foreign jurisdiction. The applicable board or commission, or the

80 department shall promptly notify the practitioner or permittee that his
81 license or permit has been summarily acted upon pursuant to this
82 subsection and shall institute formal proceedings for revocation within
83 ninety days after such notification.

84 Sec. 4. Section 19a-37a of the general statutes is repealed and the
85 following is substituted in lieu thereof (*Effective October 1, 2008*):

86 (a) The Commissioner of Public Health shall adopt regulations in
87 accordance with the provisions of chapter 54 establishing standards to
88 prevent contamination of public water supplies which may result from
89 the installation of automatic fire extinguishing systems, irrigation
90 systems or other physical connections between the distribution system
91 of a public water system and any other water system in any building
92 served by a public water system as defined in subsection (a) of section
93 25-33d. [Such regulations] Regulations concerning automatic fire
94 extinguishing systems shall: (1) Delete the requirement for a reduced
95 pressure principle backflow preventer (RPD) on fire sprinkler systems
96 with siamese connections unless chemicals are added to such systems;
97 (2) require owners to install a double check valve assembly (DCVA) on
98 fire sprinkler systems with siamese connections unless chemicals are
99 added to such systems; (3) allow owners to install an RPD instead of a
100 DCVA on fire sprinkler systems with siamese connections; and (4)
101 provide that any person engaged in the installation of an automatic fire
102 extinguishing system shall notify the water company servicing the
103 building of such installation, and shall be subject to all applicable rules
104 and regulations of such water company.

105 (b) The commissioner shall adopt regulations in accordance with the
106 provisions of chapter 54 [providing] concerning automatic fire
107 extinguishing systems that provide for a civil penalty of not more than
108 two thousand dollars if a required device is not installed on existing
109 systems by July 1, 1999, or if the required device is not installed on
110 new systems after June 23, 1999.

111 Sec. 5. (NEW) (*Effective October 1, 2008*) (a) Any person engaged in

112 the installation of an irrigation system or other physical connection
113 between the distribution system of a public water supply system and
114 any other water system shall notify the water company servicing the
115 property or building of such installation and shall be subject to all
116 applicable rules and regulations of such water company.

117 (b) Upon a determination by a local director of health that an
118 automatic fire extinguishing system, irrigation system or other
119 physical connection between the distribution system of a public water
120 supply system and any other water system creates an unreasonable
121 risk of injury to the health or safety of persons using the water, to the
122 general public, or to any public water supply, the local director of
123 public health may issue an order requiring the immediate
124 implementation of mitigation measures, that include, but are not
125 limited to, the disconnection of the system. In the event that a cross
126 connection with the public water system is found, the owner of such
127 system may terminate services to the premises.

128 Sec. 6. Section 25-43 of the general statutes is repealed and the
129 following is substituted in lieu thereof (*Effective October 1, 2008*):

130 (a) Any person who bathes or swims in any reservoir from which
131 the inhabitants of any town, city or borough are supplied with water,
132 or in any lake, pond or stream tributary to any distribution reservoir,
133 or in any part of any lake, pond or stream tributary to any storage
134 reservoir, which part is distant less than two miles measured along the
135 flow of water from any part of such storage reservoir, and any person
136 who causes or allows any pollutant or harmful substance to enter any
137 such public water supply reservoir, whether distribution or storage, or
138 any of its tributaries, or commits any nuisance in any public water
139 supply reservoir or its watershed, shall be fined not [less than one]
140 more than five hundred dollars or imprisoned not more than thirty
141 days, or both. For the purposes of this section, "storage reservoir"
142 means an artificial impoundment of substantial amounts of water,
143 used or designed for the storage of a public water supply and the
144 release thereof to a distribution reservoir, and "distribution reservoir"

145 means a reservoir from which water is directly released into pipes or
146 pipelines leading to treatment or purification facilities or connected
147 directly with distribution mains of a public water system.

148 (b) No person, after having received notice or after notice has been
149 posted that any reservoir, lake or pond, or any stream tributary
150 thereto, is used for supplying the inhabitants of a town, city or
151 borough with water, shall wash any animal or clothing or other article
152 or allow any animal to enter therein. No person shall cause or allow
153 any pollutant or harmful substance to enter such reservoir, lake, pond
154 or stream, nor shall any person, after receipt of written notice from the
155 municipality, water company, as defined in section 25-32a, or the local
156 director of health having jurisdiction, or their agents, that the same is
157 detrimental to such water supply, permit any such substance to be
158 placed upon land owned, occupied or controlled by such person, so
159 that the same may be carried by rains or freshets or otherwise flow into
160 the water of such reservoir, lake, pond or stream, or allow to be
161 drained any sewage from such land into such water. Any person who
162 violates any provision of this subsection shall be fined not [less than
163 one] more than five hundred dollars or imprisoned not more than
164 thirty days, or both.

165 (c) No person shall cause or permit an aircraft, as defined in
166 subdivision (5) of section 15-34 of the 2008 supplement to the general
167 statutes, to land upon, take off from or be operated, kept, parked,
168 garaged, stored or otherwise maintained on any distribution or storage
169 reservoir or on any watercourse tributary to any such reservoir. Any
170 person who violates a provision of this subsection shall be fined not
171 more than five hundred dollars or imprisoned not more than thirty
172 days, or both. Any water company, as defined in section 25-32a,
173 aggrieved by a violation of this section may institute a civil action in
174 the superior court for the judicial district where such reservoir or
175 watercourse tributary is located, either entirely or in part, to recover all
176 damages, expenses and costs incurred by the water company in
177 responding to the violation and the remediation and abatement of any
178 contamination resulting from the violation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	25-33(b)
Sec. 2	<i>from passage</i>	19a-206
Sec. 3	<i>October 1, 2008</i>	19a-17(a)
Sec. 4	<i>October 1, 2008</i>	19a-37a
Sec. 5	<i>October 1, 2008</i>	New section
Sec. 6	<i>October 1, 2008</i>	25-43

PH *Joint Favorable Subst. C/R*

JUD

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